

Natalie M. Cox

Honorable Natalie M. Cox
United States Bankruptcy Judge



Entered on Docket
January 30, 2023

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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

| | | |
|--------------------------|---|--------------------------------|
| In re: |) | Case No.: 22-14422-nmc |
| |) | |
| MUSCLEPHARM CORPORATION, |) | Chapter 11 |
| |) | |
| |) | |
| Debtor. |) | Hearing Date: January 24, 2023 |
| |) | Hearing Time: 9:30 a.m. (PT) |

**ORDER ON DEBTOR'S APPLICATION
UNDER 11 U.S.C. §§ 327(a), 329, AND 331 AND FED. R. BANKR. P.
2014 AND 2016 AUTHORIZING THE EMPLOYMENT AND RETENTION OF
SCHWARTZ LAW, PLLC AS ATTORNEYS FOR THE DEBTOR-IN-POSSESSION**

Upon the application (the "**Application**")¹ of MusclePharm Corporation, debtor and debtor-in-possession in the above-referenced proposed Chapter 11 case (the "**Debtor**"), by and through its counsel of record, Schwartz Law, PLLC ("**SL**"), for the entry of an order pursuant to 11 U.S.C. §§ 327(a), 328, 329, and 331, and Bankruptcy Rules 2014 and 2016 authorizing the employment and retention of SL as counsel for Debtor; and upon the Declaration of Samuel A. Schwartz, Esq., filed

¹ Capitalized terms used herein, but not otherwise defined, shall have the meanings ascribed to them in the Application.

1 in connection with the Application (the “**Schwartz Declaration**”), with the Court having reviewed
2 and considered the Application and all papers and pleadings submitted in relation to the
3 Application, including the U.S. Trustee’s opposition (ECF No. 114); and the Court being satisfied
4 with the representations made in the Application and the Schwartz Declaration that SL represents
5 no interest adverse to the Debtor’s Estate, that SL is a “disinterested person” as that term is defined
6 in Section 101(14) of the Bankruptcy Code, as modified by Section 1107(b) of the Bankruptcy
7 Code; and that SL’s retention is necessary and is in the best interests of the Debtor’s Estate, its
8 creditors and other parties-in-interest; and it appearing this proceeding is a core proceeding
9 pursuant to 28 U.S.C. § 157(b); and it appearing that this Court has exclusive jurisdiction over the
10 subject matter of the Application pursuant to 28 U.S.C. § 1334(e)(2); and it appearing that venue
11 is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and upon the record of the hearing held on the
12 Application; and it appearing that proper and adequate notice of the Application has been given
13 and that no other or further notice is necessary; and after due deliberation thereon, and all parties
14 appearing having an opportunity to be heard; and good and sufficient cause appearing therefore, it
15 is hereby:

16 **ORDERED** that the Application is **GRANTED**; and it is further

17 **ORDERED** that Pursuant to 11 U.S.C. §§ 327(a), 329, and 331 and Bankruptcy Rules 2014
18 and 2016, Debtor is authorized to employ and retain SL as its attorneys to perform the services set
19 forth in the Application and Engagement Agreement (a copy of which is attached to the Application
20 as **Exhibit 1**); and it is further

21 **ORDERED** that SL shall be compensated in accordance with the procedures set forth in
22 Sections 330 and 331 of the Bankruptcy Code and such Bankruptcy Rules and Local Rules as may
23 then be applicable, from time to time, and such procedures as may be fixed by order of this Court;
24 and it is further

25 **ORDERED** that Debtor is authorized to pay SL’s fees and to reimburse SL for its costs and
26 expenses as provided in the Engagement Agreement and Application; and it is further

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1 **ORDERED** that no approval of the Application and Engagement Agreement under 11
2 U.S.C. § 328 is intended with this Order; and it is further

3 **ORDERED** that as provided by the Bankruptcy Rule 7062, this Order shall be effective
4 and enforceable immediately upon entry; and it is further

5 **ORDERED** that the Court shall retain jurisdiction to hear and determine all matters arising
6 from the implementation of this Order.

7 Submitted by:

8 SCHWARTZ LAW, PLLC

9 By: /s/ Samuel A. Schwartz

10 Samuel A. Schwartz, Esq.

601 East Bridger Avenue

11 Las Vegas, NV 89101

12 *Attorneys for Debtor*
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LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that:

- ☐ The court has waived the requirement set forth in LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☒ I have delivered a copy of this proposed order to all counsel and any unrepresented parties who appeared at the hearing, except those as to whom review was waived on the record at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Jared A. Day, Esq.
Counsel for the U.S. Trustee

Approved/Disapproved

- ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of this order.

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